

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

(1) BRIDGETTE BROWN)	
)	
Plaintiff,)	
)	
v.)	Case No. 15-cv-486-TCK-FHM
)	
(1) AMERICAN FAMILY HOME)	Tulsa County Dist. Ct.
INSURANCE COMPANY, a Foreign)	Case No. CJ-15-2714
Corporation.)	
)	
Defendant.)	

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. § 1446, Federal Rule of Civil Procedure 81, and Local Civil Rule 81.1, et seq., Defendant American Family Home Insurance Company (hereinafter “AFH”) gives notice of removal from the District Court of Tulsa County, State of Oklahoma, to the United States District Court for the Northern District of Oklahoma. In support of this Notice, Defendant AFH states as follows:

1. Plaintiff initiated this action by filing a petition in the District Court of Tulsa County, State of Oklahoma, on July 22, 2015, captioned *Bridgette Brown v. American Family Home Insurance Company*, Case No. CJ-2015-02714, alleging breach of contract and bad faith. *See Exhibit 1 (Petition).*
2. Plaintiff Bridgette Brown is a resident of Tulsa County, Oklahoma. *Id.* at p. 1 ¶ 1.
3. AFH is a foreign insurer. *Id* at p. 1, ¶ 2. It was formed and exists under the laws of the State of Florida and has its principal place of business in the State of Ohio.
4. Process was served upon AFH by serving the Oklahoma Insurance Department by certified mail on July 27, 2015. Exhibit 2 (Summons); *see* 36 O.S. § 621(A)-(B).

5. This Notice of Removal is filed in this Court within 30 days after July 27, 2015, the date AFH was served with a copy of Plaintiff's Petition, which was the initial pleading setting forth the claim for relief upon which this is based, and is therefore timely. 28 U.S.C. § 1446 (b).

6. Plaintiff's cause of action is for alleged breach of contract and alleged breach of the duty of good faith and fair dealing. Exhibit 1, ¶¶ 14-26. Plaintiff also seeks punitive damages. Exhibit 1, ¶¶ 27-29. Plaintiff explicitly seeks "actual damages in excess of seventy-five thousand dollars (\$75,000.00), with interest accruing from the date of filing of suit, punitive damages and all other relief deemed appropriate by this Court." Exhibit 1, p. 6.

7. In accordance with 28 U.S.C. § 1446(a) and LCvR 81.2, copies of all process, pleadings, and orders served upon Defendant, as well as a copy of the Tulsa County District Court docket sheet, are attached to this Notice. (Exhibit 1 is the Petition; Exhibit 2 is the Summons; and Exhibit 3 is the Tulsa County District docket sheet).

8. This Court has original jurisdiction over this case pursuant to 28 U.S.C. § 1332 (a) (1), by reason of the fact that this is a civil action wherein the amount in controversy, according to Plaintiff's demand, exceeds Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs, and that there is complete diversity of citizenship of the parties. Accordingly, this action may be removed by Defendant AFH pursuant to 28 U.S.C. § 1441 (a).

WHEREFORE, Defendant requests this Notice of Removal be accepted by this Court, and that this lawsuit proceed as an action properly removed to this Court's jurisdiction.

DATED this 24th day of August, 2015.

Respectfully submitted,

s/ Jason L. Glass

Jason L. Glass, OBA #17635

Tara D. Zickefoose, OBA #31757

SAVAGE BAUM & GLASS

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ATTORNEYS FOR DEFENDANT
AMERICAN FAMILY HOME INS. CO.

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of August, 2015, I electronically transmitted this *Notice of Removal* to the Clerk of the Court using the ECF System for filing to the ECF participants:

Donald E. Smolen, II, - donaldsmolen@ssrok.com

Mark L. Miller – markmiller@ssrok.com

Additionally, pursuant to 28 U.S.C. § 1446 (d), true and correct copies of the *Notice of Removal* were delivered to:

Sally Howe Smith
Tulsa County Court Clerk
Courthouse
500 S. Denver Ave., Rm. 200
Tulsa, Oklahoma 74103-3899

/s/ Jason L. Glass

Jason L. Glass